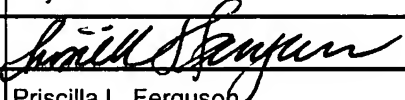
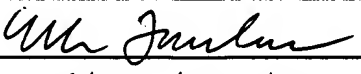


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>	Application Number	10/674,937
	Filing Date	September 30, 2003
	First Named Inventor	Sorrells et al.
	Art Unit	2857
	Examiner Name	Donald E. McElheny, Jr.
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission	6	Attorney Docket Number 35296.3

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Change in Entity Status Pursuant to 37 CFR 1.28(c); Issue Fee Transmittal PTOL-85; checks in the amount of \$2,030.00 and \$1,640.00; and return postcard.
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Haynes and Boone, LLP	
Signature		
Printed name	Priscilla L. Ferguson	
Date	Nov. 16, 2005	Reg. No. 42,531

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Ellen Lovelace	Date 11/16/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 3,670.00

### Complete if Known

Application Number 10/674,937  
Filing Date September 30, 2003  
First Named Inventor Sorrells et al.  
Examiner Name Donald E. McElheny, Jr.  
Art Unit 2857  
Attorney Docket No. 35296.3

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 08-1394 Deposit Account Name: Haynes and Boone, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3						

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

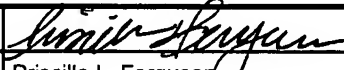
Non-English Specification, \$130 fee (no small entity discount)

Other: Issue Fee and advance order \$2,030.00; fee deficiency \$1,640.00

Fees Paid (\$)

\$3,670.00

#### SUBMITTED BY

Signature		Registration No. 42,531 (Attorney/Agent)	Telephone 214-651-5662
Name (Print/Type)	Priscilla L. Ferguson		Date Nov. 16, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:  
Sorrells et al.

Serial No.: 10/674,937

Filed: September 30, 2003

For: Method and System for Determining the  
Orientation of Natural Fractures

§  
§  
§  
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§  
§

Group Art Unit: 2857

Examiner: Donald E. McElheny, Jr.

**REQUEST FOR CHANGE IN ENTITY STATUS PURSUANT TO 37 CFR §1.28(c)**

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in an  
envelope addressed to the Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450

on

11/16/2005

*Ellen Lovelace*

Signature of person mailing paper and fee

*Ellen Lovelace*

Dear Sir:

The above-identified application was filed with a claim to small entity status on April 21, 2005. Subsequent to the filing of this application, the undersigned attorneys for the Applicants discovered that entitlement to small entity status in this application is uncertain, and therefore, pursuant to MPEP §509.03, small entity status should not be claimed in this application.

Accordingly, Applicants respectfully submit the present paper as the separate submission required by 37 CFR §1.28(c)(1).

In fulfillment of the requirements of 37 CFR §1.28(c)(2), a check in payment of the total amount of fee deficiency is enclosed, which fee deficiency can be itemized as follows:

11/22/2005 EFLORES 00000075 10674937

01 FC:1001	790.00 OP
02 FC:1201	200.00 OP
03 FC:1202	100.00 OP
04 FC:1051	130.00 OP
05 FC:1252	450.00 OP
06 FC:1801	790.00 OP
07 FC:1461	585.00 OP

ITEMIZATION OF DEFICIENCY PAYMENT			
Type of fee paid as small entity	Current fee for a non-small entity	Small entity fee paid (Date paid)	Deficiency owed
Basic fee (37 CFR 1.16(a)(1))	300.00 ✓	375.00 (Sept. 30, 2003)	0.00
Search Fee (37 CFR 1.16(k))	500.00	0 (fee not in effect at the time the application was filed)	500.00
Examination Fee (37 CFR 1.16(o))	200.00	0 (fee not in effect at the time the application was filed)	200.00
Extra independent claim (One) (37 CFR 1.16(h))	200.00	42.00 (Sept. 30, 2003) ✓	158.00
Extra total claims (Two) (37 CFR 1.16(h))	2 X 50 = 100.00	18.00 (Sept. 30, 2003) ✓	82.00
Surcharge for late filing of declaration (missing parts) (37 CFR 1.16(f))	130.00 ✓	65.00 (April 20, 2004)	65.00
Extension of Time for response within second month (37 CFR 1.17(a)(2))	450.00 ✓	210.00 (April 20, 2004)	240.00
Request for Continued Examination (37 CFR 1.17(e))	790.00 ✓	395.00 (July 7, 2005)	395.00
<b>TOTAL DEFICIENCY OWED:</b>			<b>\$1,640.00</b>

A separate submission regarding this application, namely, an Issue Fee Transmittal is also enclosed. A separate check in payment of large entity fees due for the Issue Fee is also enclosed. Accordingly, Applicants submit that no deficiency payments, other than those listed above, are due for this application.

In view of the foregoing, and the enclosed deficiency payment, Applicants respectfully request that the apparent error in the claim of small entity status in this application be excused, and that this application be accorded large entity status.

The Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment to the Deposit Account of Haynes and Boone, LLP – 08-1394. This form is submitted in duplicate.

Respectfully submitted,



Priscilla L. Ferguson  
Registration No. 42,531

Date: Nov. 16, 2005

HAYNES AND BOONE, LLP  
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Dallas, Texas 75202  
Telephone: (214) 651-5662  
Facsimile: (214) 200-0853  
File: 35296.3